

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGELA HERNANDEZ,

Defendant.

8:17CR235

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on July 15, 2024 regarding Second Amended Petition for Offender Under Supervision [107]. Kelly Steenbock represented the defendant. Thomas Kangior represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Amended Petition for Offender Under Supervision [90]. The government's oral motion to dismiss Amended Petition for Offender Under Supervision [90] is granted without objection.

The defendant freely, knowingly, intelligently, and voluntarily waived the right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds probable cause as alleged in the petition to believe the defendant violated the terms of supervised release and the defendant should be held to answer for a final dispositional hearing. Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before Chief U.S. District Judge Robert F. Rossiter, Jr. in Courtroom No. 4, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 2:30 p.m. on August 28, 2024.

The government moved for detention based upon risk of flight and danger. The defendant requested a detention hearing which was held. The defendant met his/her burden to establish by clear and convincing evidence that he/she will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6). The

government's motion for detention is denied, and the defendant shall be released on the current terms and conditions of supervision. 18 U.S.C. § 3143(a)(1).

IT IS SO ORDERED.

Dated this 15th day of July, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca
United States Magistrate Judge